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7 Inc.)
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10 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION
11

12 DENNIS NAHAT, an individual,

13 Plaintiff,

14 vs.

15 BALLET SAN JOSE, INC., a corporation, and
DOES ONE through TWENTY,

16 Defendants.
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CASE NO. C 13-02896 SBA

**STIPULATION AND ~~PROPOSED~~ ORDER
TO EXTEND TIME TO RESPOND TO
MOTION TO REMAND STATE LAW
CLAIMS**

Judge: Hon. Sandra B. Armstrong

Date: November 12, 2013

Time: 1:00 p.m.

Crtrm.: 1

Trial Date: None Set

19 The parties, by and through counsel, stipulate as follows:
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21 1. On September 11, 2013 Plaintiff Dennis Nahat filed a Motion to Remand State
22 Law Claims For Lack of Jurisdiction and, in the Alternative, Be Remanded in the Court's Statutory
23 Discretion ("Motion to Remand"), set to be heard November 12, 2013 at 1:00 p.m. in Courtroom 1
24 before the Hon. Sandra B. Armstrong.

25 2. Defendant Ballet San Jose Silicon Valley, Inc. ("BSJ") was served on September
26 11, 2013, and its response is currently due on September 25, 2013, and Plaintiff's reply is due
27 October 2.

28 3. BSJ seeks an extension of the time to respond because lead counsel for BSJ is out

1 of the country from September 8 through September 22.

2 4. There have been no prior extensions of time regarding this motion. Plaintiff
3 requested an extension of time to respond to Defendant's Motion to Dismiss. The parties
4 stipulated to that extension, which the Court ordered on July 19, 2013. (Docket #15.)

5 5. The requested time modification will not have an effect on the schedule of the case
6 as the Motion to Remand is set for hearing on November 12, 2013.

7 6. Pursuant to Civil Local Rule 6-2, the parties hereby stipulate that BSJ's response
8 shall be due **October 4, 2013** and any reply shall be due **October 11, 2013**.

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10 DATED: September 18, 2013 COOPER, WHITE & COOPER LLP

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12 By:

/s

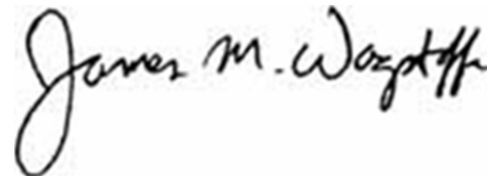
13 Scott M. McLeod

14 Attorneys for Defendant Ballet San Jose
15 Silicon Valley, Inc. (erroneously sued as
16 Ballet San Jose, Inc.)

17 DATED: September 18, 2013

KERR & WAGSTAFFE LLP

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20 By:



21 James M. Wagstaffe

22 Attorneys for Plaintiff Dennis Nahat
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ORDER

Having reviewed the above stipulation submitted by the parties, and good cause appearing, the Court hereby orders the following:

1. The deadline for BSJ to respond to the Motion to Remand is **October 4, 2013**.
2. The deadline for any reply is **October 11, 2013**.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: September 19, 2013


Sandra B. Armstrong